
By: **Delegates Healey, Moe, Menes, Bronrott, Palumbo, Benson, R. Baker, and Frush**

Introduced and read first time: January 25, 2001
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Highway Administration - Placement of Traffic Control Devices -**
3 **Requests from Local Governments**

4 FOR the purpose of requiring the State Highway Administration to justify its refusal
5 to install a traffic control device at a certain intersection on a certain highway if
6 a local government has passed a certain resolution or made a certain finding;
7 requiring the State Highway Administration to document its reasons for not
8 granting an exception to certain policies if it denies a certain request; and
9 generally relating to the placement of traffic control devices.

10 BY repealing and reenacting, with amendments,
11 Article - Transportation
12 Section 25-105
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2000 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Transportation**

18 25-105.

19 (a) (1) On every highway under its jurisdiction, the State Highway
20 Administration shall place and maintain those traffic control devices that it considers
21 necessary to carry out the provisions of the Maryland Vehicle Law or to regulate,
22 warn, or guide traffic. Each of these traffic control devices shall conform to the
23 manual and specifications of the State Highway Administration.

24 (2) (I) IF THE GOVERNING BODY OF A COUNTY OR MUNICIPAL
25 CORPORATION PASSES A RESOLUTION OR OTHERWISE MAKES A FORMAL FINDING
26 THAT AN INTERSECTION ON A HIGHWAY UNDER THE JURISDICTION OF THE STATE
27 HIGHWAY ADMINISTRATION IS UNREASONABLY DANGEROUS AND, AFTER A
28 REQUEST BY THE COUNTY OR MUNICIPAL CORPORATION IN WHICH THE

1 INTERSECTION IS LOCATED, THE STATE HIGHWAY ADMINISTRATION REFUSES TO
2 INSTALL A TRAFFIC CONTROL DEVICE AT THE INTERSECTION, THE STATE HIGHWAY
3 ADMINISTRATION SHALL FULLY DOCUMENT THE REASONS FOR ITS REFUSAL.

4 (II) IF THE STATE HIGHWAY ADMINISTRATION DENIES A REQUEST
5 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO PLACE A TRAFFIC CONTROL
6 DEVICE AT AN INTERSECTION BASED ON A GENERALLY APPLICABLE POLICY ON THE
7 PLACEMENT OF TRAFFIC CONTROL DEVICES, THE STATE HIGHWAY
8 ADMINISTRATION SHALL FULLY DOCUMENT ITS SPECIFIC REASONS FOR
9 DETERMINING, AFTER CONSIDERING ALL RELEVANT CIRCUMSTANCES, THAT AN
10 EXCEPTION TO THE POLICY REGARDING THE PARTICULAR REQUEST AT ISSUE IS NOT
11 JUSTIFIED.

12 (b) A local authority may place or maintain a traffic control device on a
13 highway under the jurisdiction of the State Highway Administration only with the
14 permission and under the direction of the State Highway Administration.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2001.